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11 *Attorneys for Google LLC*

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 GOOGLE LLC,

16 Plaintiff,

17 vs.

18 SONOS, INC.,

19 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN  
SUPPORT OF SONOS, INC.'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED (DKT. NO. 455)**

1 I, Jocelyn Ma, declare and state as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to  
3 practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing  
4 Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this  
5 Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to  
7 Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No.  
8 455) filed in connection with Google’s and Sonos’s (collectively, “Parties”) Joint Discovery Letter  
9 Brief (“Joint Discovery Letter Brief”) (Dkt. No. 456). If called as a witness, I could and would testify  
10 competently to the information contained herein.

11 3. Google seeks an order sealing the materials as listed below:

Document	Portions Google Seeks to Be Filed Under Seal	Designating Party
Joint Discovery Letter Brief	Portions highlighted in yellow	Google and Sonos
Exhibit 1 to Joint Discovery Letter Brief (“Exhibit 1”)	Portions highlighted in green and outlined in blue boxes	Google
Exhibit 1	Portions highlighted in yellow	Google and Sonos

12 4. I understand that the Court analyzes sealing requests in connection with discovery  
13 motions pursuant to a “good cause” standard. *See Intel Corp. v. Tela Innovations, Inc.*, No. 3:18-CV-  
14 02848-WHO, 2018 WL 4501146, at \*3 (N.D. Cal. Sept. 18, 2018). I also understand that good cause  
15 to seal is shown when a party seeks to seal materials that “contain[ ] confidential information about  
16 the operation of [the party’s] products and that public disclosure could harm [the party] by disclosing  
17 confidential technical information.” *Digital Reg. of Texas, LLC v. Adobe Sys., Inc.*, No. C 12–1971  
18 CW, 2014 WL 6986068, at \*1 (N.D. Cal. Dec. 10, 2014). I further understand that courts have found  
19 it appropriate to seal documents that contain “business information that might harm a litigant’s  
20 competitive standing.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 589-99 (1978).  
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1           5.       The portions of the Parties' Joint Discovery Letter Brief and Exhibit 1 highlighted in  
2 yellow contain confidential business agreements and licensing negotiations that are not public. I  
3 understand that public disclosure of this information would harm Google's competitive standing and  
4 its ability to negotiate future agreements by giving competitors access to Google's highly confidential  
5 business thinking and asymmetrical information about Google's collaboration strategies to other  
6 entities. If such information were made public, I understand that Google's competitive standing  
7 would be significantly harmed. Google has therefore designated this information as HIGHLY  
8 CONFIDENTIAL—ATTORNEYS' EYES ONLY under the protective order (Dkt. No. 92). A less  
9 restrictive alternative than sealing the highlighted portions would not be sufficient because the  
10 information sought to be sealed is Google's proprietary and confidential business information but has  
11 been utilized by the Parties in support of their Joint Discovery Letter.

12           6.       The portions of Exhibit 1 highlighted in green and outlined in blue boxes contain  
13 references to Google's confidential business information and trade secrets, including details regarding  
14 the architecture and technical operation of Google's products. The specifics of how these  
15 functionalities operate is confidential information that Google does not share publicly. Thus, I  
16 understand that the public disclosure of such information could lead to competitive harm to Google, as  
17 competitors could use these details regarding the architecture and functionality of Google's products  
18 to gain a competitive advantage in the marketplace with respect to their competing products. Google  
19 has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS' EYES  
20 ONLY under the protective order (Dkt. No. 92). A less restrictive alternative than sealing would not  
21 be sufficient because the information sought to be sealed is Google's confidential business  
22 information and trade secrets but has been utilized by the Parties in support of their Joint Discovery  
23 Letter.

24           I declare under penalty of perjury under the laws of the United States of America that to the  
25 best of my knowledge the foregoing is true and correct. Executed on January 30, 2023, in San  
26 Francisco, California.

1 DATED: January 30, 2023

2 By: /s/ Jocelyn Ma

3 Jocelyn Ma

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